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C O N F I D E N T I A L SANTO DOMINGO 001468

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DEPARTMENT FOR WHA/CAR, WHA/OAS,L/LEI FOR TORRES, INL;  
DEPT OF JUSTICE/CRIM ORJALES, TOLEDO, DEPUTY USAG BSWARTZ;  
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SUBJECT: U.S. ATTORNEY GENERAL GONZALES AT OAS JUSTICE  
MINISTERIAL IN SANTO DOMINGO APRIL 24-26

Classified By: Charge d'affairs Lisa Kubiske. Reason: 1.4 (b) and (d)

¶1. (SBU) Summary. On April 24 and 25, U.S. Attorney General Alberto Gonzales attended the 6th Regular Meeting of Ministers of Justice and Attorneys General of the Americas (REMJA-VI), held in Santo Domingo. A hour-long conversation with President Leonel Fernandez provided suggestions for improving the U.S. image in Latin America and ruminations on the Iraq war, while a shorter meeting with Attorney General Francisco Dominguez Brito dealt with law enforcement cooperation and the REMJA-VI mechanism. Senior Dominican government spoke of concern with issues surrounding criminality and rule of law, as suggested by a specific request for a criminal indictment in the BanInternacional bank fraud case. A bilateral discussion with Trinidad and Tobago focused on the radical group Jamaat al-Muslimeen and on T&T's deteriorating relations with Venezuela. End summary.

¶2. (SBU) On April 24 and 25 U.S. Attorney General Alberto Gonzales attended the 6th Regular Meeting of Ministers of Justice and Attorneys General of the Americas (REMJA-VI), held in Santo Domingo, Dominican Republic. In addition to the business of the conference, the Attorney General had lengthy meetings with Dominican President Leonel Fernandez and Attorney General Francisco Dominguez Brito. The Ambassador hosted a working lunch that brought the Attorney General together with key Dominican cabinet members and law enforcement officials. The Attorney General gave an interview to the legal specialist of a widely read daily newspaper.

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President Fernandez  
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¶3. (C) During the evening of April 24, President Leonel Fernandez received AG Gonzales for an hour at the presidential palace. The Ambassador and U.S. PermRep to the OAS Amb. John Maisto, DOJ deputy chief of staff, and poloff accompanied. Throughout the call Fernandez was philosophical and spoke freely about his views.

-- Justice Sector

Fernandez noted that improvement in the justice sector began under his watch, with an increased emphasis on transparency, building public confidence, and efficiency. He admitted encountering difficulties in the fight against corruption, which he found to be highly politicized, especially in the judiciary. He said that if the ruling Dominican Liberation Party (PLD) captured additional congressional seats in the May 2006 elections, there would be an opportunity to appoint politically untainted judges. (Note: Fernandez' comment mirrors the popular perception that Mejia-administration judicial appointees will not convict members of Mejia's opposition Dominican Revolutionary Party (PRD) for corruption-related offenses.) Upon questioning by the Attorney General, Fernandez suggested that judicial corruption is being countered by improved salaries and benefits packages for judges.

#### -- Military to Military Relations

Fernandez described bilateral military relations as going "very well" in general terms, though he noted "We're always expecting more technology transfer, equipment, and training" from the United States.

#### -- Regional Perception of the United States

AG Gonzales noted a U.S. concern that the United States is perceived as caring only about Iraq. Fernandez commented that the United States should break out of its historic, but understandable, pattern of concentrating upon countries in crisis ("A lot of good friends in the region are somehow being neglected"). Fernandez said the United States should, instead, actively reward good governance and democratic stability through increased contacts. One example could be a

visit by President Bush to the Dominican Republic. The Ambassador pointed out that President Bush had begun his administration with a Latin American trip (i.e., to Mexico). Fernandez countered that the U.S. national agenda had changed following the attacks of September 11.

Fernandez hoped that the United States would make increased use of "soft power" in the region, which he defined largely as the awarding of scholarships, as well as cultural and athletic exchanges. Fernandez provided examples of what he viewed to be the successful projection of "soft power": the current Cuban practice of awarding medical school scholarships to students from developing nations, and Russian scholarships to that still-functioning Cold War relic, the Partice Lumumba University in Moscow. "Why can't the United States have a program like this?" The Attorney General and Ambassador Maisto noted that there are thousands of Latin American students in the U.S., and the U.S. plans to do more.

#### -- Global War on Terror: Afghanistan and a "Mistake" in Iraq

Shifting focus, the Attorney General noted adverse comments in the hemisphere on the global war on terror and criticisms of Guantanamo. He inquired as to the impact in the Dominican Republic.

Fernandez thought neither issue to be a "problem" in the country, mainly because most people are not well informed. "Speaking frankly and as a friend," Fernandez commented that the "second Iraq war" had little to do with terrorism and therefore was a "conceptual mistake." Fernandez said, in comparison, the war in Afghanistan was a "natural reaction" and "the right thing to do." Taking a long view, Fernandez said, the Iraq war was a strategic mistake, as it eliminated a military counterbalance to Iran. Responding to the Attorney General's reply that genuine fear of Iraqi weapons of mass destruction was the cause of the most recent conflict, Fernandez said his opinion would have been the same, even if WMD had been found. Fernandez said that the general public concern over Iraq is strictly limited, rightly or wrongly, to the high world price of oil as experienced through the high price of gasoline.

-- Iran

Fernandez concluded that Iran is "bluffing." He urged the United States "not to play into their game," suggesting that that would only embolden others (i.e., North Korea and Venezuela). He said, "The world is against Iran" and predicted diplomatic victory for the United States on the Iranian nuclear issue in the United Nations.

-- CAFTA-DR

Fernandez expressed surprise that both U.S. ambassadors expressed concern about the lack of Dominican progress toward CAFTA implementation and the specific apprehension that the DR could miss its own July 1 deadline. Fernandez had been told by his chief negotiator that negotiations were on track and on time. "Well, then," he said, "if not July, then August." The Ambassador warned against slippage and informed the President of a North Carolina textile firm that had recently decided to make a USD 100 million investment in Nicaragua -- a lost opportunity for the Dominicans.

-- Narcotrafficking

The Attorney General praised international cooperation on narcotrafficking. Fernandez said that rises in Dominican crime rates are due to narcotraffickers and the drugs with which they are paying their Dominican employees.

-- OAS General Assembly

Setting the state for the June 4-6 event, Ambassador Maisto said that the OASGA theme of "governance and development for a knowledge society" is truly important. It connects last year's theme of "delivering the benefits of democracy" to the biggest challenge facing democratically elected governments

in the hemisphere: governing democratically. Fernandez agreed with this point and emphasized the technological dimensions of the issue.

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AG Dominguez Brito  
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¶4. (U) Dominican Attorney General Francisco Dominguez Brito expressed to AG Gonzales in the margins of the plenary his thanks to the USG, especially to USAID, for assistance on law enforcement administration and reform. He then discussed philosophies of controlling narcotics and crime control and the reorganization and institutionalization of the REMJA.

¶5. (SBU) Dominguez Brito noted the persistence of a domestic drug problem, despite the effort to stop the inflow of drugs, particularly at seaports and airports. He suggested that an increased emphasis on street-level distributors, whom he described as micro-traffickers, might be in order. Noting that the average age of a "youth gang" participant had increased, Dominguez Brito commented that the country should revisit its anti-drug strategy with an eye toward dismantling youth gangs before their relative power increases. In relaying U.S. anti-crime strategies, AG Gonzales spoke generally of "Project Safe Neighborhood," a USG initiative in which federal authorities fight gun use and other crime on a local level. Gonzales offered to share additional information regarding this and other strategies.

¶6. (SBU) Dominguez Brito suggested the OAS justice ministerial would benefit greatly from institutional changes. He thought this best accomplished by the creation of a triumvirate of the past, current, and future presidents, who could meet to plan REMJA's substantive agenda. Dominguez Brito suggested that the next REMJA meeting could be held somewhere in the United States. AG Gonzales replied that he would consider these suggestions and said that he also wants to increase REMJA's effectiveness. Later, at the REMJA plenary, AG Gonzales endorsed the idea of creating the triumvirate.

¶7. (SBU) On the margins of other meetings, the Dominican Attorney General relayed his concerns regarding two extradition matters: the frustrated petition for extradition from the United States of Sam Goodson (aka Shlomo Ben Tov), rejected on appeal by a U.S. magistrate for insufficient documentation of probable cause, as well as the extradition request, pending in New York state, for Dominican national Jeffery Pena Bencosme, accused of killing a policeman in Santiago, Dominican Republic. .

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Am Embassy Working Lunch  
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¶8. (C) On the afternoon of the April 25, 15 senior Dominican officials joined the Attorney General, the Ambassador OAS PermRep and senior Embassy and DOJ staff at the Ambassador's residence for a working lunch. The majority of Dominican officials limited themselves to praising USG cooperation in the areas of legal reform and law enforcement, Dominguez Brito and Presidential Legal Advisor Cesar Pina Toribio asked specifically for assistance in obtaining a U.S. criminal indictment against U.S.- Dominican dual national Luis Alvarez Renta, a prominent businessman charged in the penal case for the 2003 fraudulent collapse of Banco Internacional (Baninter). Both said that a U.S. criminal investigation and subsequent indictment would assist in the collection of a civil award of approximately USD 173 million won in federal court in South Florida and would further facilitate proceedings against Alvarez Renta in the Dominican Republic.

¶9. (SBU) In an exchange of ideas on the most pressing issues facing both the United States and the Dominican Government, AG Gonzales stressed that terrorism remained the single most important justice-related issue facing the United States. When he asked the 15 Dominicans present for their views, only Dominguez Brito answered. The answer was immediate and

uncontradicted: criminality and rule of law issues were the issues considered most critical for the Dominican government, though the country needed to be ready to face terrorism as well.

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Bilateral meetings - Trinidad and Tobago  
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¶10. (C) Terrorism featured much more prominently in a bilateral meeting between the Attorney General and Trinidad and Tobago's Attorney General John Jeremie.

-- Terrorism

The Attorney General, joined by the Deputy Assistant Attorney General, DOJ Deputy Chief of Staff, and poloff, heard details regarding the persistence of the Jamaat al-Muslimeen, an indigenous Islamic terror group responsible for an attempted coup in 1990. The 5000-member-strong group funds itself through drug trafficking, gun running, and Islamic charities, possibly with links to Pakistan. The criminal core of the group is estimated at roughly 500 members. The Jamaat are "number 1" in Jeremie's priority list.

According to Jeremie, there remains a palpable fear regarding the group; a fear exacerbated by a 1990 amnesty for 113 of the coup participants, as well as the general failure of successive governments to control the group's activities. Still, Jeremie asserts, the current government is "making progress" in the war on terror with the arrest for incitement of Jamaat leader and founder Imam Yasin Abu Bakr. Jeremie suggested that the authorities had "broken the back of Jamaat" with this arrest, but he conceded that much work would still need to be done with the senior judiciary, whom he described as "infected" by corruption.

Jeremie described current anti-terror laws as sufficient, noting that the UN-modeled Terrorism Act contains a maximum

25 year term for incitement to violence. He made it a point to thank Gonzales for the FBI's assistance in helping stop a recent spate of bombings in Port of Spain. The Attorney General replied, "We'd be happy to consider other assistance."

#### -- Corruption and Extradition

For Jeremie, the fight against corruption is the area where insufficient progress is being made, and the area where the USG might best be able to help. He calls corruption a "significant problem that has affected the very heart of government." Though the USG has helped with indictments in the case of a corrupt former Prime Minister, the USG has not yet met the extradition request for ex-minister Brian Kuei Tung, accused of fraud in a Piarco airport development project. Jeremie gently contrasted this status with what noted to be good relations with the British on mutual legal assistance. Commenting on the intersection of corruption and extradition, Jeremie said that extraditions were some of the easier judicial processes the Trinidad and Tobago government could undertake, as the lower magistrates are "not as touched by corruption."

The Attorney General replied, "Let's see what we can do."

#### -- Venezuela

Acknowledging that there was probably nothing that the United States could do in this area, Jeremie nevertheless relayed his opinions regarding the deteriorating relationship with the Chavez regime. Jeremie thought the turn of the relationship came when Trinidad and Tobago's Prime Minister took a contrary position on Chavez, Petrocarribe oil distribution scheme. That resulted in a personal "falling-out" between the two men, the outgrowth of which was Venezuelan support for the Jamaat. As an example of this support, Jeremie cited a locally well-known picture of a Jamaat leader climbing on board a Venezuelan tank. He concluded by noting that the Trinidadian-Venezuelan

relationship had deteriorated to such a point that "the days where we could broker the peace between you and Mr. Chavez are long gone."

#### -- Regional Warrants

The Attorney General inquired as to the Trinidadian position on the backing of warrants, a process by which one nation's warrant would be enforceable in another state. After noting that such a scheme was already in practice in Europe, Jeremie found it to be "a difficult sell in practical terms" for Latin America because of differing human rights situations in the states in the region.

While the Trinidad government does back warrants for other sovereign island states in the region, based largely on a commonality of legal systems and "a certain amount of due process," an OAS proposal for hemispheric warrant backing would be "ahead of the curve."

11. (U) This cable was cleared by WHA/OAS. The Embassy sent a copy of the draft to the Office of the Attorney General on April 28 by secure e-mail (B Swartz) and has not received DOJ comment.  
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